

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

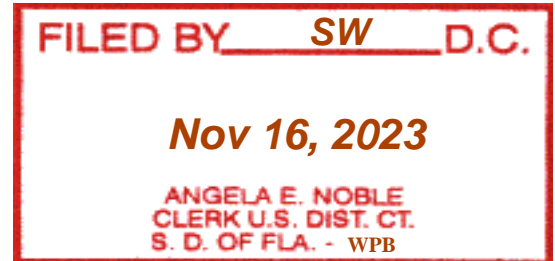
CASE NO. 23-mj-8581 WM

UNITED STATES OF AMERICA

v.

HENRY ABDO,

Defendant.



CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? __ Yes ☒ No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? __ Yes ☒ No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? __ Yes ☒ No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By:

A handwritten signature in black ink, appearing to read "Jonathan Bailyn".

Jonathan Bailyn

Jonathan R. Bailyn, AUSA

Court ID No. A5502602

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Henry Abdo,

Case No. 23-mj-8581 WM

Defendant(s)

FILED BY SW D.C.

Nov 16, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 26, 2020 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section

8 U.S.C. § 1343

Offense Description

Wire Fraud

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Grace Salazar, Special Agent, FBI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time.

Date: 11/16/2023


Judge's signature

City and state: West Palm Beach, Florida

Hon. William Matthewman, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Grace M. Salazar, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigations (“FBI”), assigned to the Miami Field Office, and have been so employed since January 2019. As a Special Agent, I have participated in white collar criminal investigations into Ponzi schemes, advance fee schemes, corporate fraud, securities fraud, money laundering, market manipulation, and company embezzlement.

2. This Affidavit is based upon my personal knowledge, as well as information provided to me by other law enforcement officers and agencies. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not include everything I know about this investigation. Rather, I have set forth only those facts necessary to establish probable cause to believe that on or about February 26, 2020, Henry ABDO committed the offense of wire fraud, in violation of Title 18, United States Code, Section 1343.

PROBABLE CAUSE

3. ABDO owns and directs Titanium Capital LLC (“Titanium”), which is registered in the State of Florida. Beginning in or around November 2014, ABDO opened bank accounts for Titanium at financial institutions in Palm Beach County, in the Southern District of Florida, and elsewhere.

4. ABDO and his accomplices solicited investments into Titanium in person, through e-mail, through WhatsApp, and through telephone, according to interviews with ABDO’s investors. To attract investors, ABDO and his accomplices provided them with Titanium’s prospectus and access to Titanium’s website, which was registered by ABDO, according to domain records.

5. The prospectus and website for Titanium states that Titanium is a “secure multi-currency fixed income fund,” that it is part of a “multibillion dollar holding company,” that Titanium has no administrative, arrangement, entry or exit, hidden, management, or success fees, that Titanium is registered with the Securities & Exchange Commission (“SEC”), that Titanium has developed and operated a “proprietary multi-currency Forex platform,” and that Titanium guarantees at least a 10% rate of return. The prospectus closes with a message from ABDO, which states that Titanium has “worked to create a zero risk trading platform that skillfully uses micro-trades and management fees to fix returns irrespective of market conditions.”

6. ABDO also communicated similar representations to an undercover FBI agent, whom ABDO solicited for an investment, on June 13, 2023, and September 6, 2023. These communications were recorded.

7. In reality, Titanium is not registered with the SEC, and a review of Titanium’s bank records does not show that any investor funds were transferred to a purported trading platform. Rather, a forensic analysis of the bank records shows that Titanium operated a classic Ponzi scheme. After an investor transferred money to Titanium, the investor’s funds were transferred to other individuals, often including a reference to “return on investment.” Investor funds were also withdrawn and used for ABDO’s personal expenses. The following are three examples:

8. Victim 1 is a resident of Pennsylvania who was shown Titanium’s marketing materials by one of ABDO’s accomplices. As a result, Victim 1 transferred \$35,000 to Titanium by wire, on February 26, 2020, believing that Titanium was registered with the SEC and that it operated a multi-currency fund that generated profits from transaction fees. However, bank records show that, of Victim 1’s \$35,000 investment, ABDO spent approximately \$8,000 on travel, \$1,800 on food and retail, and transferred \$25,000 to nine different people.

9. Victim 2 is a resident of Florida who spoke with ABDO over the phone. As a result of ABDO's misrepresentations about Titanium, Victim 2 invested approximately \$25,000 into Titanium, in June 2019, believing that Titanium was a hedge fund that invested in profitable projects. Of Victim 2's \$25,000 investment, however, ABDO spent \$2,000 on jewelry, \$8,000 on personal expenses such as a food and retail, and transferred approximately \$12,500 to five different people.

10. Victim 3 is a resident of California who was provided Titanium's marketing materials by one of ABDO's accomplices. As a result, Victim 3 invested \$333,000 into Titanium, in June 2022, believing that Titanium was operating a multi-currency fund. Within days, ABDO used Victim 3's funds to pay for international hotels, airfare, clothing, and food. The funds were also used to make wire transfers, in round dollar amounts, between \$1,000 and \$20,000, to multiple people.


11. A review of Titanium's bank records shows that beginning in or around November 2014 and continuing until September 2023, approximately 150 investors have sent approximately \$5 million to Titanium through wire transfers, peer to peer bank transfers, and personal checks.

CONCLUSION

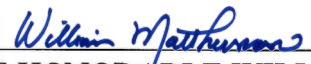
12. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about February 26, 2020, ABDO committed the offense of wire fraud, in violation of Title 18, United States Code, Section 1343.

13. Further, I respectfully submit that public disclosure of the information contained in this affidavit and public disclosure of the existence of the arrest warrant for ABDO may compromise the investigation, may cause suspects to flee in order to avoid apprehension, and may cause the destruction of physical evidence or disbursement of victims' funds.

14. Accordingly, I respectfully requested that the Affidavit and accompanying arrest warrant to avoid jeopardizing the ongoing investigation into ABDO and his accomplices.


GRACE M. SALAZAR, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATIONS

Attested to by the applicant via FaceTime
in accordance with the requirement of Fed R. Crim. P. 4.1
this 16th day of November 2023.


THE HONORABLE WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE